

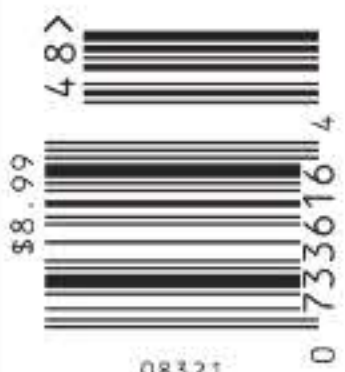
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**Convincing
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FEATURES

SWIPE RIGHT

Women have historically had a hard time getting credit, but a recent controversy may not be as it seems.

COVER CREDIT

Illustration by Alex Fine for Newsweek



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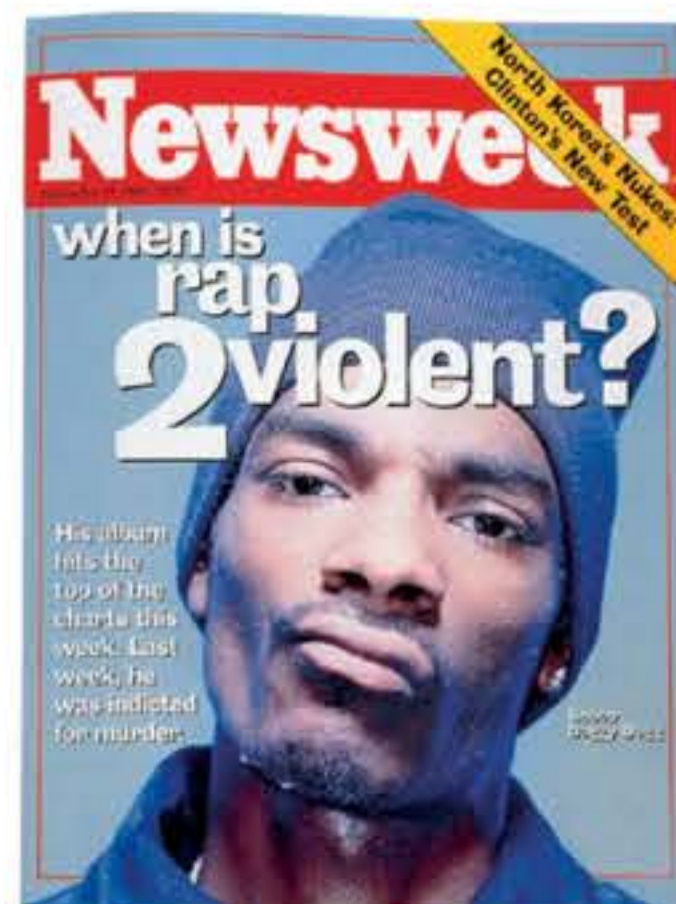
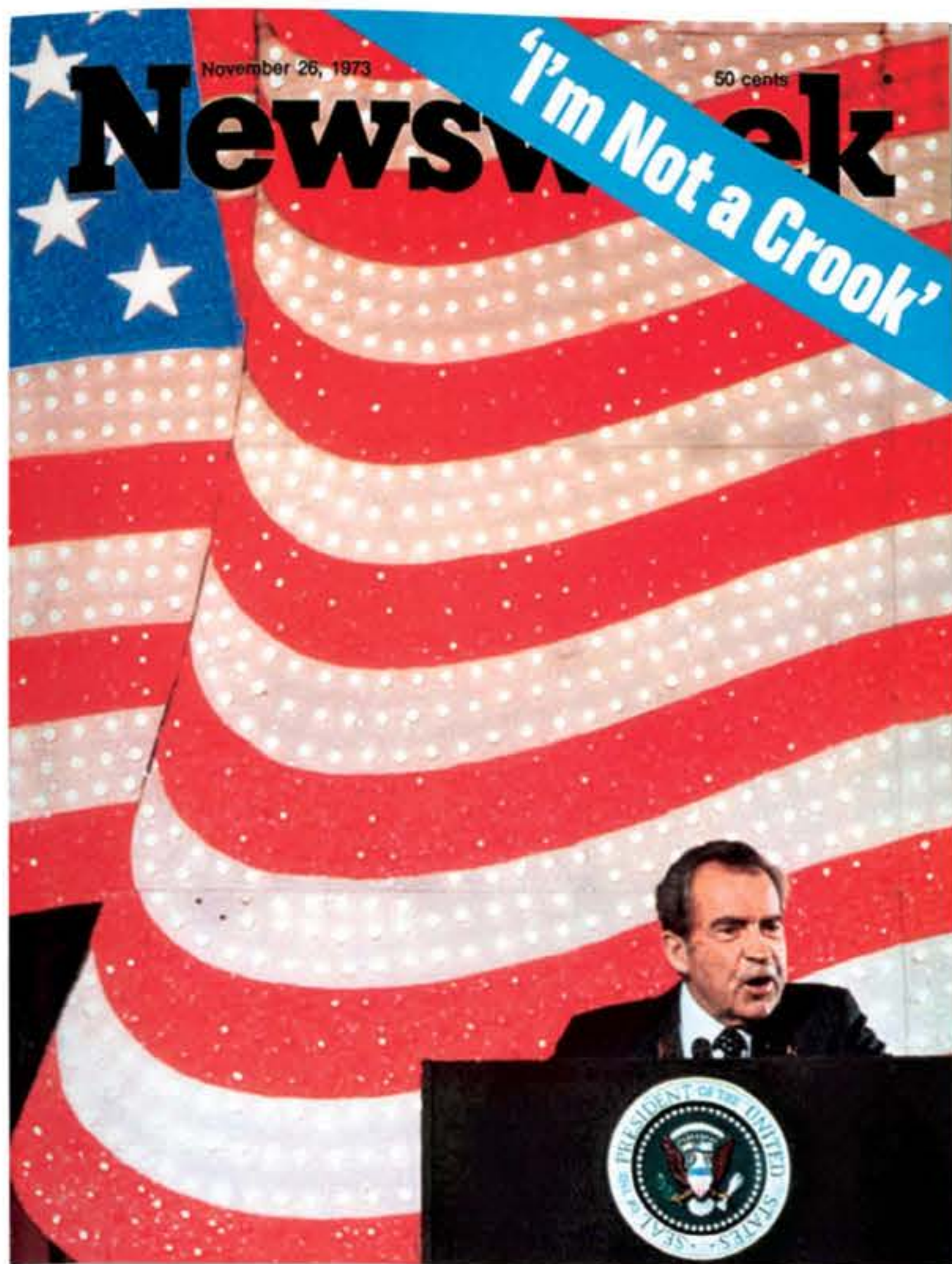
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1973

"People have got to know whether or not their President is a crook," President Nixon said, "Well, I'm not a crook." As the Watergate scandal escalated, "Mr. Nixon was, in a word, playing the politics of survival," *Newsweek* said. "Operation Candor" was the "last and most desperate campaign of Richard Nixon's long life in American politics," and an effort to "save the Presidency that has taken him a quarter-century to achieve." Despite "public theatrics" and "private promises," however, he continued to lose support. Faced with the possibility of impeachment, Nixon resigned as President in 1974.



1993

The arrests of rappers Snoop Doggy Dog and Tupac Shakur raised "disturbing questions about 'gangsta rap' and its images of violence in the 'hood.'" But is there a link between "capital rhymes and capital crimes?" asked *Newsweek*. The answer: "the problem of urban violence is much bigger than rap."



2009

While reporting for *Newsweek* in Iran, journalist Maziar Bahari was accused of spying for "foreign intelligence operations," landing him in Tehran's Evin Prison for 118 days. His story of captivity, described in *Newsweek* and in his memoir, *Then They Came for Me*, revealed the "corrosive suspicion" that is "rotting the Islamic Republic from within." **N**

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In Focus

— THE NEWS IN PICTURES



HASAKEH, SYRIA

A Stone's Throw

Syrians take aim at Turkish military vehicles patrolling near the town of Darbasiyah, in the northeastern Hasakeh province, on November 11. After launching an offensive last month, Turkey now controls a 75-mile strip in Syria and jointly patrols the remaining border area with Russian troops.

DELIL SOULEIMAN





CLOCKWISE FROM RIGHT: RONALDO SCHEMIDT/AFP/GETTY; STEFANO MAZZOLA/AWAKENING/GETTY; PETER PARKS/AFP/GETTY



HILLVILLE, AUSTRALIA

Burn Out

Residents defend a property from a raging bushfire on November 12, nearly 200 miles north of Sydney. A state of emergency was declared in New South Wales, as its capital faced "catastrophic" fire danger for the first time since the rating was introduced. With fires burning across the country, a top emergency services official said it was facing "the most dangerous bushfire week this nation has ever seen." Nearly 500 homes were lost.

📷 → PETER PARKS



VENICE, ITALY

Higher Ground

Rising water levels alter tourists' routines on November 12 in Piazza San Marco, where high tide reached nearly 50 inches after heavy rainfall. Facing the city's most severe flooding in 50 years, Venice's mayor asked politicians to act: "Now the government must listen. These are the effects of climate change. The costs will be high." Climate change has long been predicted to exacerbate extreme weather events.

📷 → STEFANO MAZZOLA



LA PAZ, BOLIVIA

Riot of Color

Supporters of Bolivia's former President Evo Morales demonstrate on November 14. Morales had been Latin America's longest-serving president—and Bolivia's first indigenous leader—before he resigned and fled to Mexico after irregularities were found in the country's October 20 election. Morales and opposition supporters have been protesting the situation for weeks, with the self-exiled leader saying he would like to return and finish his term.

📷 → RONALDO SCHEMIDT

SUNNY DAYS

Since its debut in 1969, tens of millions of children have grown up and learned with the muppets of *Sesame Street*—they've danced with Elmo, practiced (and maybe munched on!) their letters with Cookie Monster, asked questions with Big Bird and imagined with Abby.



"This strikes at the heart of America's place in the world." » P.18



OPINION

After Sesame Street: What's Next for Children's TV?

On the 50th anniversary of the beloved show, a look at what makes educational programming worthwhile and where we go from here.

 FIFTY YEARS AGO, A REVOLUTIONARY APPROACH to children's television was born when Joan Ganz Cooney, the creator of *Sesame Street*, dared to think that television could be used for educational purposes, and that by doing so, she could move the needle for all children. For the first time, educational researchers, writers and producers gathered together to develop the series—which mixed fantasy and reality along with a racially diverse cast and an endearing array of puppets. From its first episode in November 1969, *Sesame Street*—and its iconic theme song—became an instant sensation.

Around the same time, another visionary producer was asking different questions about the power of television to change children's lives. Instead of slapstick comedy, a gentle, cardigan-wearing Presbyterian minister named Fred Rogers asked whether television could respect kids and give them a space to express their feelings. Could someone speak directly to kids through

the screen, to guide them through the everyday joys and sorrows of childhood? Armed with that vision, Rogers elevated children's media to a whole new level with *Mister Rogers' Neighborhood*.

As a child, I was inspired by these ground-breaking shows. I felt seen through the screen with *Mister Rogers' Neighborhood*; as an adult, it was my dream to create an educational hit show that kids wanted to play along with. But by the time I started my career in children's media almost 25 years ago, it seemed like the newest shows on television had taken a step backward from the idealism of Cooney and Rogers. Instead, the majority of the offerings were what I call "cereal box" programming: commercially successful, but without much "nutrition" or educational value.

It was the motivation I needed. With the creation of *Blue's Clues* in 1996, my co-creators and I built on the foundations of the pioneers of children's media and attempted to push it further. Coming from a child development

BY

ANGELA C. SANTOMERO
 @AngelasClues

background, I knew that kids were active viewers of media. Could we use the “passive” medium of television to enable kids to interact, learn, play along, feel empowered and heard?

After much research and development, I can safely say, yes. Hinging on the idea that kids will interact with any media if given time and space to think, *Blue’s Clues* was born. During its 10-year run, millions of kids learned by talking to Steve, our host, and practiced skills by playing educational games with Blue. The result was that children viewers scored better

“Can virtual reality help kids step into others’ shoes and become more empathetic?”



on standardized tests than those who didn't watch the show. Through its new, “four-beat” pause, *Blue’s Clues* literally gave children time to take a breath. They absorbed the information offered and formulated their own answers. It added interactivity to the educational elements, as well as offering more repetition and longer narrative segments, which were found to provide even more “stickiness” for the educational content.

Today, we have more ways to create media than ever before and masses of additional research and experience in creating quality media that kids *want* to watch. Consumers have an overwhelming amount of readily available content and infinite delivery options. As demographics shift, it is even more important that we push beyond what *Sesame Street* started years ago (and continues to do today) when they used a diverse cast and reflected underprivileged children on screen. We must ensure that all children see themselves represented on the screen in media.

So, what is the future of media? The future is both positive and cautionary.

As we have seen, apps have changed the way preschoolers play, leaning into the intuitive nature of the touch screen. In the future, through story-based content, we will see kids take even greater control, truly propelling the story forward—playing with characters in real time on a smartphone or an iPad and visually immersing themselves in these worlds through virtual reality. Experiments in this technological age will create opportunities to use these new tools to elevate the medium toward a bigger purpose. We’ve already seen some advancements in this area

“STICKY” PROGRAMMING *Blue’s Clues & You!* brings back favorite characters like Blue, Joe, Magenta, Mailbox and others.

CLOCKWISE FROM TOP: DESIREE NAVARRO/WIREIMAGE/GETTY; DEBORAH FEINGOLD/CORBIS/GETTY; COURTESY OF NICKELODEON (2)



PUPPETS STEAL THE SHOW

Clockwise from top: Joan Ganz Cooney in 2014 with muppets old and new; the cardigan-clad Mr. Rogers and King Friday, the ruler of his Neighborhood of Make-Believe; and author Angela C. Santomero.



with choose-your-own adventure interactive content such as *Blue's Clues & You!* on Noggin's Play Along; with Netflix's interactive episodes of *Puss in Book*, with *Minecraft* and Bear Grylls' *You vs Wild*; and with others in the works. It will be interesting to see how Apple leans into the interactive media space with its new educational content for kids as well. The future will be based on experiments and questions we ask to innovate and to elevate the content further. *Can the technology be used to add more layers to a story, to entertain and educate on an individualized level? Can virtual*

reality help kids step into others' shoes and become more empathetic?

On a more cautionary note, we know media can and *should* do more than entertain. Content should inspire action—or what I call “view and do”—where kids watch, get inspired, learn and go out and create change. We can't rely on the technology; we need to keep experimenting and asking questions. *Why this show? Why now? Why this piece of technology? What does it do for the content itself? Does it elevate? Does it empower kids? Does it help kids see themselves on screen? Are we making use of these*

new technologies to make even more powerful and profound content that truly moves the needle for children in the real world?

The truth is, no matter how many advances we make in technology, kids are still kids. Emotionally, children haven't changed in the last five decades, nor will they in the next. They still want to bond and interact with characters they love, they want stories that empower them to understand the world around them, they want to help and be challenged to learn new skills and they still want to laugh. They crave respect and autonomy, while seeking guidance from trusted adults. And they still look to media for ideas about how to engage with their peers and environment. Sometimes, the biggest advances in media are the “small” ones—such as creating interactivity with just a pause or empowering kids by looking through the camera lens, like Rogers did.

Tomorrow we may have different tools to create media, but the bottom line will remain the same as when Cooney first began her project: One vision, one creative idea or one question can be a powerful way to change children's lives for the better. And the future of children's media will always start with creators who know kids, have a passion, have something to say and want to experiment to elevate the media to meet the needs of kids. **N**

→ **Angela C. Santomero** is the Emmy Award-winning co-creator of *Blue's Clues and Blues Clues & You!* and the creator of *Super Why!*, Daniel Tiger's Neighborhood, *Creative Galaxy*, *Wishenproof* and *Charlie's Colorforms City*. She is the author of *Preschool Clues and Radical Kindness* and is the Chief Creative Officer of 9 Story Media Group. The views expressed in this article are the author's own.



ARMED FORCES

Invisible Women

The Marine Corps' annual birthday video included only six seconds of women in an eight-minute tribute

➤ TO CELEBRATE THE UPCOMING birthday of the U.S. Marines, the service's top brass sent around a special video message—and drew a barrage of criticism. Women service members are visible in roughly six seconds of the eight-minute video.

Current and former Marines rebuked Marine Commandant General David H. Berger and Sergeant Major Troy E. Black, the top

enlisted Marine, for the lack of inclusion and for a failure of leadership.

The backlash comes as the U.S. Marine Corps continues to wrestle with its internal culture in the wake of the Marines United scandal less than three years ago—when a male

Marines-only Facebook group shared nude photos and obscene comments about women service members—and amid

BY

JAMES LAPORTA
@JimLaPorta

“It’s not an accident to eliminate an entire demographic,” said one female active duty officer.

continuing battles over whether women should be allowed to serve in ground combat units that historically have been all male.

“It is a self-indulgent ‘love me and my grunts and everyone else can pound sand in the corner’ video,” said former Marine Sergeant Erin Kirk-Cuomo, who co-founded “Not In My Marine Corps,” a group dedicated to fighting sexual assault and harassment in the U.S. military.

“It’s 10 steps back from where it should be and just an all-around boring birthday message with no motivation,” said Kirk-Cuomo. “But the lack of diversity regarding women is a deliberate hit at them and how they have been given more opportunities recently,” said Kirk-Cuomo. “The vitriol towards female Marines is at an all-time high right now and this video just shows it.”

Kirk-Cuomo said that many female Marines are not happy with the video and responses they are receiving from some of their male Marine counterparts has been disheartening.

One active-duty female Marine officer told *Newsweek* that she was “sick of this ‘oversight’ happening over and over again as in, how it always seems to be a ‘mistake’ or ‘accident,’” for not including women. “It’s not an accident to eliminate an entire demographic from a product intended for the force,” said the officer, who asked for anonymity due to fear of reprisal from her chain of command.

Kirk-Cuomo said she attributed the attitude toward women within the rank-and-file directly to top leadership. “If the Commandant can’t even bother to bring up the strides women have made in a birthday message or have a female voice in it even for a 20-second clip, what does that say to Marines? That leadership doesn’t care and doesn’t feel the need to be inclusive to women, so why should anyone else?”

Some current and former Marines speaking out online said the lack of women in the video is a non-issue and is being overblown, with many praising the video for its depiction of combat forces.

The Marine video begins with images of the heartland—moving the audience from the Rust and Bible Belts of the Midwest and southern United States to major metropolitan cities and

suburbs. An American morning begins as a radio dial scans through the airwaves to find CNN’s Pentagon correspondent Barbara Starr telling Wolf Blitzer that the Marines will be ready to go if and when the order comes.

Hard cut to a naval aircraft carrier navigating the seas where Marines can be seen gearing up, while narration from General Berger plays over the picture.

“Every Marine trains, prepares, 24-7 to get the phone call in the middle of the night that your unit’s deploying,” Berger says in the video. “The phone call that you weren’t expecting, but you’re ready for.”

The video shows Marines running out onto the flight deck to board MV-22 Osprey helicopters: quick cuts in the video show Marines racking bullets into their rifles just before the music shifts from an inspiring melody to Michael Bay dramatic.

Tanks fire their main cannons off-screen as amphibious assault vehicles roll onto a beachhead with fighter

SEMPER FIDELIS?

Taking some flak for the birthday video: Commandant Gen. David H. Berger, left, and Sgt. Maj. Troy E. Black, right, here at the 2019 NYC Veterans Day Parade.



jets flying high over land and water.

Sergeant Major Black's narration focuses on the camaraderie between Marines and how their bond supports their ability to complete the mission. The overall theme of the video ties into Berger's vision of how the U.S. can compete with adversaries such as China and Russia—a show of force on the world stage via naval strength and agility.

As in past birthday videos, this one, for the Corps' 244th birthday on November 10th, pays homage to the Marines' legacy with short interviews with veterans. "Once a Marine always a Marine is not just a slogan," Berger reminds viewers. The veterans interviewed in the video are both male.

The video has been viewed more than 112,000 times since being published.

Asked for a reply to the controversy, a Marine spokesperson told *Newsweek*, "The USMC will not have a comment for you on this topic."

For critics of the video, the lack of women depicted can be optically viewed as approval of the trepidation former Defense Secretary James Mattis expressed over allowing women to be integrated into frontline job fields—one of the major issues in the Marines United scandal.

The Marines United nude photo scandal rocked the Pentagon and ultimately spurred changes to the Uniform Code of Military Justice, the legal code governing U.S. service members.

Marines United was a secret and invitation-only Facebook chatroom with more than 30,000 current and former male Marines, U.S. Navy Corpsman, and British Royal Marines in 2017. A March 2017 exposé in *Reveal*, published by The Center for Investigative Reporting, showed that members were sharing thousands of nude photos of women without their consent.

Members would fill the chatroom

with links to Dropbox and Google drives containing videos and images of female Marines, both nude and clothed, as well as Marine wives, ex-wives, girlfriends and ex-girlfriends. Some of the women were identified by their full names, ranks, and location of duty station.

Once exposed, thousands of members exited the group—while others moved to backup groups where they continued to share the videos and photos.

Newsweek has obtained more than 200 pages of internal Marine Corps emails from top Marine generals, officers, and enlisted personnel through multiple Freedom of Information Act requests. Embedded within the files is a letter written to then-Marine Commandant General Robert Neller from an unnamed individual. "I am very proud to serve my country, but I am no longer proud to do it through the Marine Corps. This event, along with all the B.S. I have put up with (from male Marines) throughout my career have motivated me to have no sign of my time in the military around my children," the unidentified letter writer tells Neller. "I would never wish the harassment and constant feeling of having to prove themselves on them. It is not worth their peace of mind, it is not worth their self-esteem."

The backlash comes as the U.S. Marine Corps continues to wrestle with its internal culture.

Neller forwarded the email to multiple general officers in the Corps, writing, "What is being represented below is the issue/problem...and the proper complaint/grievance of women Marines...lack of respect for what they contribute...that they are not Marines like the men are Marines...that they are a supporting effort...not part of the main effort."

In the aftermath of the scandal, the Corps made an effort to improve its depiction of women in its official messaging.

In May 2017, they released the first-ever recruiting ad centered on female Marines in combat. This year, they've produced more video profiles highlighting the contributions of female Marines such as women serving as drill instructors or introducing the first female pilot of the F-35B Lightning II.

But the tone hasn't always been consistent said former Marine officer Emma Shinn, a transgender woman, who served as an infantry platoon sergeant and later as a judge advocate.

"Coming on the heels of this past summer's 'Saturdays are for the Boys' messaging error, the Marine Corps again appears tone-deaf to the need for adequate representation of all of our troops," Shinn told *Newsweek*. "The 'One Team, One Fight' mantra includes the entire team."

"The themes of small unit leadership and our naval tradition are great focus points, but it is important to acknowledge the contributions of our Marines of color and women—female Marines lead small units, too," said Shinn.

"The saying goes that, 'If you can see it, you can be it.' As such, representation matters," Shinn said. "If we don't hold leaders (and ourselves) accountable for missteps, there is no push for improvement." ■

Talking Points



"The problem with Donald Trump is he always sees himself first. Trump is all about Trump."

—LAWYER GEORGE CONWAY



"IF I'M IN THE WHITE HOUSE, SHE [ALEXANDRIA OCASIO-CORTEZI] WILL PLAY A VERY, VERY IMPORTANT ROLE. NO QUESTION."

—SENATOR BERNIE SANDERS



Bernie Sanders

VOGUE

"I find dressing really stressful, just that decision every day. You want to just Steve Jobs it."

—FLEABAG CREATOR PHOEBE WALLER-BRIDGE

The Guardian

"My message to the Americans is the same as to everyone—that is to unite behind the science and to act on the science."

—CLIMATE ACTIVIST GRETA THUNBERG



Greta Thunberg



"THIS IS ABOUT A CHOICE TO DESTROY LIVES."

—Justice Sonia Sotomayor on abolishing DACA



Sonia Sotomayor



"Let us mark this day in remembrance of who we are and how far we've come."

—STEVEN REED, MONTGOMERY, ALABAMA'S FIRST BLACK MAYOR



"WE ARE LESS THAN A YEAR AWAY FROM THE ELECTION. INSTEAD, LET THE PEOPLE DECIDE."

—Former U.S. Ambassador to the U.N. Nikki Haley on impeachment

FROM LEFT: JOSHUA LOTT/GETTY; MICHAEL NIGRO/PACIFIC PRESS/LIGHTROCKET/GETTY; BROOKS KRAFT LLC/CORBIS/GETTY

MILITARY

The Carrier Killers

Why China's hypersonic missiles are a "holy s**t moment" for the U.S. military

ON THE 70TH ANNIVERSARY of the founding of the People's Republic of China, President Xi Jinping was categorical about his country's future. "No force can stop the Chinese nation and the Chinese people from forging ahead," he said in front of thousands of people in Beijing. It's widely recognized that China intends to supplant the U.S. as the world's biggest and most technologically advanced country: That's part of why President Donald Trump is, for better or worse, waging a trade war with China. Less well understood, but no less true, is that China seeks to become the world's dominant military power as well—and has made significant strides toward that end. In a speech last week, retired Admiral William McRaven, the former head of U.S. special forces, called China's intensifying military build-up "a holy shit moment for the United States."

The most visible and, for U.S. defense planners, most troubling evidence of China's military advance comes in the form of hypersonic missiles, commonly known as "carrier killers." Beijing claims the weapons can hit surface vessels like aircraft carriers, and though that hasn't been proved, Pentagon planners worry. Hypersonics are much faster than cruise missiles and fly at different trajectories than ballistic missiles. They glide. That makes current U.S. missile defense systems, aimed at identifying

and knocking down ballistic missiles during their parabolic flight paths, useless.

China's rapid progress on hypersonic missiles took the Pentagon by surprise. Spending last year on radar and sensor systems capable of defeating hypersonics amounted to just \$157 million, "a rounding error by Pentagon standards," as Loren Thompson, defense analyst at the Lexington Institute, a defense and security think tank, put it. The budget for hypersonic defense is being ramped up significantly now, but Michael Griffin, the Pentagon's top technology planner, says any system won't be deployed before the middle of the next decade.

For U.S. war planners, the strategic significance of China's carrier killers are huge. Beijing

wants to displace the U.S. military from the Pacific. Naval forces, of course, are the main way the U.S. projects power in the region—with aircraft carrier groups the most visible component of that force. But the inability to detect hypersonics in flight makes carrier groups extremely vulnerable to them. "This really strikes at the heart of America's place in the world, in terms of power projection," says Thomas Karako, director of the Missile Defense Project at the Center for Strategic and International Studies, a Washington think tank.

The closest the U.S. and China came

BY
BILL POWELL



FROM TOP: XINHUA/PAN YULONG/GETTY; THE ASAHI SHIMBUN/GETTY



POWER PLAY China has plans to become the world's dominant military power. At top: missiles on display at a military parade in Beijing in October; (below left) the U.S. aircraft carrier USS Ronald Reagan departing a Japanese base.

to death," says Thompson. Chinese missiles travel at a speed of two miles per second, and battlefield commanders will need accurate information on precisely what paths the attackers are taking. Otherwise, he says, "defense will be essentially impossible."

There is debate within the defense community about whether the U.S. should spend more on its own hypersonic weapons or focus on defense. Those pushing for the development of more and faster hypersonic missiles believe doing so will impose costs on China that it is not now bearing; Beijing would have to figure out how to defend against them. As Karako of CSIS puts it, "If we have to get to a situation where our acquisition of those capabilities means they're going to have to spend a really sizable part of their budget on air defenses, well, that's great. Every bit that they spend on air defenses means they have less money to spend on strike forces."

For the moment, the U.S. defense industry is operating on the assumption that the market for defensive systems will be bigger than that for the Navy's own hypersonic missiles. As Raytheon Chief Executive Tom Kennedy has noted, defensive systems will require "innovations across the entire kill chain, from initial detection to interception." That mission, says Thompson, "is so demanding that it will require numerous projects spanning multiple decades." Admiral McRaven, in his recent speech, said the U.S. needs a "Sputnik moment" to respond to China's technological rise. For the Pentagon, at least, Beijing's carrier killers may have provided one. ■

to trading blows was in 1996, when then-President Bill Clinton dispatched two carrier groups to within 100 miles of the Taiwan Strait in response to Chinese military exercises that included bombs dropping close to Taipei's coastline. Part of China's defense strategy focuses on "area and access denial": preventing U.S. forces from getting where they want to go, says Karako. Hypersonic missiles do that. If Beijing so chooses, it can now prevent U.S. warships from navigating close to Chinese waters. "China can change the behavior of a carrier group and that might be good enough for them to win

without fighting," Karako adds.

Establishing a defense system against hypersonics is complicated. Nine defense contractors now have contracts to develop "space sensors" that can track the missiles "from birth

"China can change the behavior of a carrier group and that might be good enough for them to win without fighting."

LADIES AND
GENTLEMEN
OF THE JURY

President Donald Trump delivering his second State of the Union address to a joint session of Congress at the U.S. Capitol this past February.

BY
Bill Powell

Getting to

67

FOR DONALD TRUMP TO BE IMPEACHED,
TWO-THIRDS OF THE GOP-DOMINATED SENATE WOULD

NOVEMBER 29, 2019



AL DRAGO/BLOOMBERG/GETTY

HAVE TO VOTE TO CONVICT. THE MATH IS TOUGH.
BUT HERE'S WHY **Trump & Mitch McConnell** ARE WORRIED

M

ITCH MCCONNELL HAS REASON to worry—and that means Donald Trump does, too.

To convict President Trump of an impeachable offense, the Democrats have to muster a two-thirds vote in the Senate: At least 20 Republican senators (and probably more like 22 because of expected Democratic defections like West Virginia's Joe Manchin and Alabama's Doug Jones) would have to break ranks. That math sounds unforgiving, and it's true that the road to 67 votes is a narrow and bumpy one. But the Senate majority leader and the White House fear that if more than a couple of GOP senators say they intend to vote against Trump, there will be something of a traffic jam as Republican senators turn against the president.

For starters, it's no secret that some senators can't stand Trump. Former Arizona Senator Jeff Flake, famously a "never Trumper," said in September that if it were a private vote, 35 senators would vote to oust the president. Utah Senator Mitt Romney stands out among this group—and, for Trump, the feeling of disdain is distinctly mutual, never mind that during his transition the then-president-elect actually interviewed the former GOP standard bearer for Secretary of State. Romney recently called Trump's interactions with Ukraine's president "appalling." Trump called Romney "a pompous ass" on Twitter. Though Romney has said he has an open mind and will see where the facts take him, Trump vote-counters already assume his vote is lost.

The White House—and McConnell—have their eyes on two senators in particular: Susan Collins of Maine and Lisa Murkowski of Alaska. They are no fans of the president. Murkowski famously voted against the bill repealing Obamacare in 2017, thus helping save it and dealing Trump a bitter defeat. Collins, who is up for reelection in what is expected to be a close race next year, has repeatedly criticized Trump. She said he "made a big mistake" asking Beijing to investigate Hunter Biden's business dealings there and called for the president to retract a tweet in which he compared the House impeachment investigation to a "lynching."

McConnell is worried their votes are not safe. In fact, in his role as Trump's sherpa—the calm hand who knows better than anyone how to count the votes of his caucus—McConnell counseled the president to call Murkowski and pledge to work

DIFFERENT WORLDS

Right: President Trump with Senate Majority Leader Mitch McConnell (left) and Senator Roy Blunt, Republican of Missouri, before a Senate Republican luncheon at the Capitol in March. Below: Protestors at the White House in November.



FROM TOP: TOM WILLIAMS/CO-ROLL CALL/GETTY; MANDEL NGAN/AFP VIA GETTY IMAGES/GETTY





IMPEACHMENT

with her on an ambitious energy bill that the Alaska senator has been pushing for three years. He also told Trump to knock off the juvenile name-calling of Romney, which other senators found distasteful.

"[McConnell] has stressed to the president that he thinks he can keep the caucus together, but Trump needs to help," says a Senate source familiar with McConnell's thinking. "He can't just demand loyalty and expect to give nothing back. That's not how this is going to work."

The passionate partisanship that has kept Republicans aligned with Trump until now might work against the president and McConnell. University of Virginia political scientist Larry Sabato notes that "the nationalization of politics—how people feel about the president—is bleeding down the ballot to an extreme degree." In 2016, every state with a Senate race voted for the same party for senator and president—the first time that's happened since 1912, when the era of popular voting for the Senate began. And as Sabato says, "Impeachment may be the ultimate nationalizing event" for Senate members.

To understand the implications, consider the GOP senators up for reelection in purple swing states: first-term Senators Cory Gardner of Colorado, Martha McSally of Arizona, and Joni Ernst of Iowa. The first two are in races viewed as toss-ups; in Colorado Trump is deeply underwater and in Arizona only slightly less so. If the nationalization thesis holds, it could be risky for Gardner and McSally to vote to acquit an increasingly unpopular president.

Senator Ernst at this point is a slight favorite to be re-elected in Iowa, but the race will be tricky. Trump's trade war with China has hurt the state's agricultural sector. Ernst also, associates say, has complained about Trump's boorishness: the hush money payments to a porn star, the Billy Bush "locker room talk" video. She publicly has been supportive of Trump but privately isn't much of a fan.

If she defects, it could prompt some others—who are currently saying all the right things to the White House—to consider it, too. Tom Tillis of North Carolina is in a race considered a toss up. Trump won North Carolina in 2016, but is no lock next year.

This is the scenario the Trump White House dreads, and for good reason. The risk is not, at this point, that enough GOP senators will defect to oust him—at least not, again, based on what's currently known about the Ukraine affair. The risk is that even if he's acquitted,

A small inset photograph on the left side of the page shows a woman standing outdoors near a sign that features a large white letter 'P' on a dark background. She is wearing a dark jacket and sunglasses.

**IT COULD BE RISKY
FOR GARDNER AND
MCSALLY TO VOTE
TO ACQUIT A DEEPLY
Unpopular President.**

he begins to look politically weak in his own party, becoming a drag on down-ballot candidates.

A Senate trial will be open and reasonably fair. It will not look like the president is being railroaded. It will be presided over by John Roberts, Chief Justice of the Supreme Court, and the president's defense team will be allowed to cross examine hostile witnesses and call their own to testify. If, given that, several GOP senators still end up voting for removal, Trump potentially is a dead man walking. "He won't just look weaker going into the general election, he will be weaker," says a source close to McConnell. "If you get Joni Ernst and Martha McSalley, military veterans both, voting against you, you've got trouble."

Other GOP lawmakers are making their own calculations, driven by the ambivalence—usually expressed only privately—that many Republicans in both the House and Senate feel about Trump. Unlike the president, most are used to operating in traditional ways. The president's crassness, his chaotic White House, the recent sellout of the Kurdish fighters in Syria, the "lunatic" effort to strong arm the Ukrainian president to investigate Biden, as one senior Senate staffer describes it: All serve to make Republicans distinctly uncomfortable.

There's an ideological factor at play as well. The vast majority of GOP-ers in both the House and Senate believe in longtime Republican policies like free trade and fiscal sobriety. The Tea Party elected 138 House members in 2010 largely as a protest against what was then viewed as out-of-control spending in Washington. In the Trump era, free trade is dead and no one ever talks about spending. Republicans on the Hill feel as if they're "trapped" into supporting Trump, says Justin Amash, the Michigan Republican who announced his intention to leave the GOP this summer.

Another GOP Congressman, unwilling to speak on the record, says a big chunk of the party has been "lobotomized." He adds, "There are any number of people up here who feel the same way, they're just not willing to say so publicly."

The reason for that is simple: As politicians, they know how to read polls. And while in several recent polls a slim majority of Americans now believe Trump should be removed from office, his support among Republican voters remains rock solid. In a recent Fox News poll in which 51 percent favored his removal, only 16 percent of Republicans did. Trump's overall approval rating was 86 percent among Republicans.

Swing Votes

In an impeachment trial, these seven Republican senators might turn on Trump; meanwhile, these two Democrats could support acquittal.



CORY GARDNER
Republican, Colorado



LISA MURKOWSKI
Republican, Alaska



JONI ERNST
Republican, Iowa



LAMAR ALEXANDER
Republican, Tennessee

CLOCKWISE FROM TOP LEFT: CAROLINE BREHMAN/CO ROLL CALL/GETTY; DREW ANGERER/GETTY; BILL CLARK/CO-ROLL CALL, INC./GETTY



MARTHA MCSALLY
Republican, Arizona



MITT ROMNEY
Republican, Utah



SUSAN COLLINS
Republican, Maine



DOUG JONES
Democrat, Alabama



JOE MANCHIN
Democrat, West Virginia

Apostates within Trump's GOP are not treated kindly. Ask Francis Rooney, a representative from Naples, Florida. Last month he gave a television interview in which he equated Trump's Ukraine scandal with Watergate. "I'm very mindful of the fact that back during Watergate everybody said, 'Oh, it's a witch hunt to get Nixon.' Turns out it wasn't a witch hunt. It was absolutely correct."

The backlash from his district was swift, intense, and stoked by a furious White House. Several constituents called his office and said if he wasn't prepared to support the president he should stand down. The reaction stunned Rooney; so much so that the next day, he took the advice and announced that he would not run for re-election next year. The episode, more than anything, showed "that this is not the Republican Party anymore," says political scientist Sabato. "It's the Party of Trump."

McConnell has already spoken directly with the president on "multiple occasions" about the impeachment trial, according to four Capitol Hill and White House sources. At this point, sources familiar with McConnell's thinking say, the majority leader does not disagree with the conventional view of the forthcoming impeachment drama: The country's founders made it difficult to remove a president. Based on his understanding of the facts surrounding the Ukraine affair, in which the president allegedly tried to leverage military aid in return for a Ukrainian investigation into political rival Joe Biden and his son, McConnell believes there is little chance Trump would be convicted in the Senate—

**THE NATIONALIZATION
OF POLITICS —HOW PEOPLE
FEEL ABOUT THE PRESIDENT—
IS *Bleeding Down* THE BALLOT
TO AN EXTREME DEGREE.**



particularly if a vote to impeach in the House proceeds strictly along partisan lines, which is expected.

McConnell, White House sources say, has told Trump that privately. He is said to be dismissive, too, of the charges Democrats are likely to bring in the House that the Trump White House obstructed their investigation into the Ukraine matter.

Asked if Trump could be convicted, GOP Senate staffers answer with a standard caveat: "If all we know [about Ukraine] is out there now, and nothing new emerges or happens, then no, he would be acquitted," says one staff member of the Senate Judiciary Committee. The bottom line, for them, is that the military aid money ultimately flowed to Ukraine, and the government in Kiev never investigated the Bidens. Trump's alleged intervention in the affair ended up being of no consequence, and the idea "that this amounts to an impeachable offense is a joke," as South Carolina Senator Lindsey Graham puts it.

But with Trump, this source acknowledges, "you never know." After all, it was just one day after Robert Mueller's Congressional testimony about so-called Russian collusion—which buried

Democratic dreams of impeaching Trump on that issue—that the phone call between the president and his Ukrainian counterpart took place.

An impeachment is fluid. Things may not proceed precisely as the political pros believe they will. If Trump loses key votes of support in swing states he needs to win the election, how nervous will the party get? Is it possible enough senators get so nervous they go to the White House and ask that Trump resign, rather than have to put lawmakers on record voting for or against him? Might a weak president put the GOP's hold on the Senate at risk next November?

As of now, the president's rock-solid GOP polls make that seem unlikely, and the Trump base would be enraged and very unlikely to vote for Mike Pence, Nikki Haley or anyone else who might gain the nomination in Trump's wake. Trump may survive and even flourish, much as Bill Clinton did after the GOP's misguided impeachment effort in 1998.

But it isn't a lock. Trump's election upended all political norms and expectations; his impeachment trial is likely to do the same. **N**

THE FAITHFUL

Enthusiastic Trump supporters at a "Keep America Great" rally in Monroe, Louisiana on November 6. While some Congressional Republicans privately express concerns and doubts about Trump, few of them have been willing to break ranks with him publically. Meanwhile recent public opinion polls show that while a slight majority now supports removing him from office, the president continues to be very popular among GOP voters.

**THIS IS NOT THE REPUBLICAN PARTY
ANYMORE. IT'S THE *Party of Trump.***

Crime Time?

Spin Aside, President Trump's Ukraine Adventure May Have Indeed Broken Federal Bribery Laws. Here's how.

BY Roger Parloff

AT FIRST THE RALLYING CRY WAS "NO quid pro quo!" President Donald Trump's defenders would ward off the new Ukrainian scandal with that clean and simple slogan, just as they'd defused the Mueller report's findings by chanting, "No collusion!"

Then the evidence started rolling in. Congressional Republicans, maneuvering to save the President from impeachment and removal, called an audible. It was more convoluted than the original play—sort of a double reverse, really—but it was all they had. It goes: "Okay, maybe quid pro quo—but not the criminal kind."

The new mantra not only makes little sense legally—then or now—but highlights an increasingly urgent question that too few people are asking. Now that the snowballing evidence of quid pro quo has become so rock

solid that even Trump's most die-hard stalwarts feel silly denying it, a question begs to be answered: Why hasn't the Department of Justice opened a formal criminal inquiry into Trump's conduct?

After long forbearance, House Speaker Nancy Pelosi finally started using the term "bribery" on November 14 following the first day of public impeachment hearings, and she was correct to do so.

"The facts as we now know them sketch out the possibility of a criminal violation of the anti-bribery statute," says Paul Rosenzweig, a former senior counsel in Independent Counsel Ken Starr's Whitewater investigation and now a senior fellow at the R Street Institute. "Were the President anyone other than the President, that would be sufficient predication to open an investigation."

Early on, of course, shortly after the President's July 25 call to Ukrainian President Volodymyr Zelensky, the DOJ did take a lightning-quick look at what was then known about the call. At that time, the department found "no campaign finance violation" under the Federal Election Campaign Act of 1971 (FECA), a spokesman explained two months later to the *Washington Post*. That law forbids soliciting a "thing of value" from a foreign national in connection with a federal election. "Justice Department lawyers determined that help with a government investigation could not be quantified as 'a thing of value' under the law," the *Post* reported.

Also early on, Democrats in Congress—perhaps wearied by the 22-month Mueller investigation—decided that, rather than get bogged down in the technicalities of whether Trump's conduct was a criminal offense, they'd focus on what they saw as an obviously impeachable abuse of power and breach of public trust.

But because of that early tactical decision, it's possible to become numb to the mounting evidence of criminality.

From the outset, some people took issue with the DOJ's initial conclusion that no campaign finance violation occurred.

"This idea that you have to be able to quantify to the nickel the 'thing of value'—I think that's wrong," says Stuart Gerson, a former acting United States Attorney General, the former head of the Justice Department's Civil Division under President George H.W. Bush, and, today, a partner at Epstein Becker & Green.



"It's certainly arguable that getting dirt on your opponents is something valuable to you and your campaign."

But the more pressing question today is whether Trump's conduct violates the federal bribery and gratuities law: 18 USC Section 201. That's a question that DOJ does not appear to have addressed in its initial quick-look inquiry, probably because, at that time, evidence of quid pro quo was still circumstantial and speculative.

That's no longer the case. Concrete testimony from acting U.S. ambassador to the Ukraine William B. Taylor, Jr.; Lt. Col. Alexander S. Vindman; U.S. ambassador to the European Union Gordon Sondland; and National Security Council aide Timothy Morrison, together with other corroborating evidence (for example, the Sondland-Taylor texts) and even admissions all strongly point toward a quid pro quo.

Specifically, they suggest that Trump was conditioning the release of nearly \$391 million in Congressionally approved military aid to Ukraine upon that country publicly announcing a criminal probe into, among other things, the Ukrainian energy company Burisma. That probe would necessarily cast a pall on a former director there, Hunter Biden, who is the son of Joe Biden, then the front-runner to be Trump's Democratic opponent in the 2020 election. (Joe Biden was also the Democratic candidate then performing best against Trump in head-to-head straw polls.)

The bribery law makes it a felony for any federal "public official" to "corruptly" demand or seek "anything of value...in return for being influenced in the performance of any official act." (The maximum sentence is 15 years.)

Apparently some of Trump's defenders want to argue that, okay, it's true that there was a quid pro quo, but Trump still didn't act "corruptly."

Of course, defendants can always make such an argument to the jury—and usually do. But here there's ample evidence of personal gain; no objective evidence of legitimate public purpose; months of furtiveness; secrecy; and consciousness of guilt. Career envoys, ambassadors, and national security staff were all kept in the dark while only a handful of political appointees and the President's personal attorney were in on what was happening. Why was the

memo of the Trump-Zelensky call placed in a hyper-secure "code-word" server? Why were Vindman's corrections of the memo never incorporated into it? Why was Vindman instructed not to discuss the call? Why does Trump keep falsely insisting that the call memo was "an exact word-for-word transcript...taken by very talented stenographers"?

Perhaps there are innocent answers to these questions—but that's why a full criminal inquiry needs to occur. If the answers to these questions don't turn out to be innocent, they raise questions about whether still other federal criminal laws have been violated—notably extortion and obstruction of justice laws.

In any case, 18 USC Section 201 also creates an easier-to-prove misdemeanor (maximum sentence: two years), which doesn't even require proof of "corrupt" intent. That section, often referred to as

the "anything of value" being extracted in this instance can't be quantified?

No, according to a small mountain of case law. Courts have had plenty of occasion to address this question in cases involving 18 USC Section 201 and similarly worded federal and state bribery laws. In those contexts, courts have repeatedly found that "intangible" benefits can count as "anything of value."

"Thing of value" for the bribery statute is construed very broadly and can include anything of subjective value to the public official," says Randall Eliason, a former assistant U.S. attorney in Washington, D.C., who teaches white collar crime at George Washington University law school. "It can include intangibles such as offers of employment, promises of future contracts, sexual favors, personal services, etc....I believe a promise to investigate a political opponent would qualify."

THE FACTS AS WE NOW KNOW THEM SKETCH OUT THE POSSIBILITY OF A CRIMINAL VIOLATION OF THE **Anti-Bribery Statute.**

the "gratuities" provision, sweeps up any official who demands or seeks "anything of value personally for or because of any official act performed or to be performed by such official or person." The Department of Justice ordinarily takes the position that a defendant need only act "knowingly and purposefully" to be guilty in a gratuities case.

Nobody is questioning that presidents are covered by 18 USC Section 201.

The Supreme Court has interpreted quid pro quo in a common-sense manner. "The official and the payor need not state the quid pro quo in express terms," Justice Anthony Kennedy wrote in a 1992 concurrence that has become a widely accepted statement of the law, "for otherwise the law's effect could be frustrated by knowing winks and nods."

Would the facts of this case run afoul of the same problem that DOJ found with the campaign finance law—that



WITNESSES

Above: The Justice Department building in Washington, DC. Top, clockwise from left: ambassador to the EU Sondland; White House Russia expert Morrison; NSC director for European affairs Vindman; acting ambassador to Ukraine Taylor



"The term 'anything of value'...is broad in scope and contains no language restricting its application to transactions involving money, goods, and services," the federal court of appeals in New Orleans wrote in a bribery case in 1996. "The plain meaning of the statute compels our conclusion that 'anything of value'...includes transactions involving intangible items"—in that instance, conjugal visits at a prison.

Other hard-to-quantify services and benefits have formed the basis of successful bribery prosecutions. These have included the granting of lenient conditions of pretrial release, the giving of commercially worthless stock that might later gain value, and—perhaps most relevant here—an agreement not to run in a primary election. My quick review of the case law suggests that at least five federal circuit courts of appeals have found the phrase "anything of value" to include intangible or hard-to-quantify benefits in bribery

cases, while none has ruled otherwise.

"I think there is a solid basis for DOJ to investigate these actions as potential bribery violations," says Eliason, of George Washington University, in an email. "That would probably require the appointment of a new special counsel—and you can assess for yourself how likely that is with [Bill] Barr as Attorney General."

Gerson, on the other hand, disfavors the involvement of a special prosecutor. He is more trusting of both Barr and his department—even though he disagrees with the department's interpretation of the campaign-finance law in this case and, prior to that, took issue with Barr's characterization of the Mueller report. "I believe in the institution and the quality of the career people who are in it," he says. (As an assistant U.S. attorney in the early 1970s, Gerson led a landmark prosecution of a sitting U.S. senator under 18 USC Section 201.)

Gerson even wonders whether Trump's conduct might eventually come under scrutiny in an inquiry that is already underway. The Southern District of New York's current reported probe into Rudolph Giuliani for his Ukraine-related work, which has already led to the indictment of four people, might eventually require an examination of Trump's acts. "This all ties back to the Ukraine," Gerson says. "It all ties back to the same situation."

If Gerson is wrong, though, the department's inaction to date could only mean one of two other things. Perhaps the department has decided that the impeachment inquiry is sufficient to flesh out the facts and mete out a punishment. Certainly an impeachment inquiry is appropriate. Bribery is an explicit constitutional grounds for impeachment ("treason, bribery, or other high crimes or misdemeanors"), as Eliason points out. And since the "thing of value" involved here was coming from the Ukraine, Gerson notes, it could be a foreign emolument, too—yet another basis for impeachment.

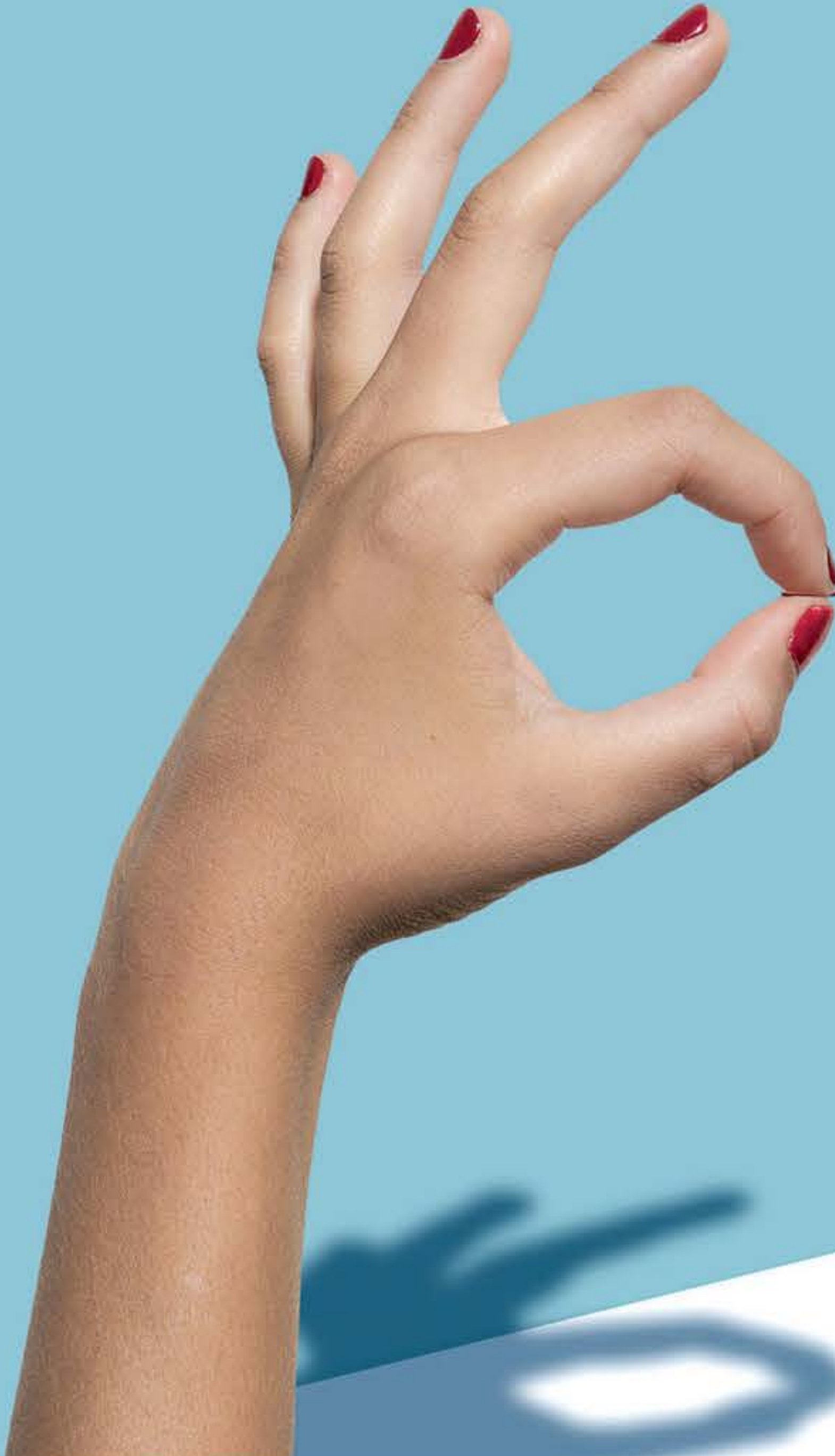
But the absence of a parallel criminal inquiry tends to demean the seriousness of the allegations in the eyes of both the public and the impeachment jurors—the senators. And if the President is ultimately acquitted of impeachment articles by political allies fearful of facing primary opponents, nothing will protect the public from criminally corrupt executive acts for the remainder of this presidential term and, perhaps, the next.

The last possibility is more concerning still. Maybe the Justice Department has quietly decided that a sitting President is, as his personal lawyers recently argued in state court in Manhattan, not merely immune from prosecution during his term—which many legal scholars have long assumed—but immune even from all criminal investigation. That audacious contention has been widely criticized as radically at odds with the nation's history and constitutional consensus.

Still, the department's silence in the face of mounting evidence of Presidential criminality does raise that distinct possibility. **N**

→ **Roger Parloff** is a regular contributor to *Newsweek* and *Yahoo Finance*. He is an attorney who no longer practices, and who has been writing about legal matters for more than 30 years.

Does the Apple Card



NOVEMBER 29, 2019

Discriminate Against New Women?

THE
TWITTERVERSE
IS BLOWING UP
OVER ALLEGED
GENDER BIAS.

TAKE A DEEP
BREATH

BY
Diane Harris

W

HEN IT COMES TO GETTING

credit, women historically have gotten a raw deal.

Before 1974, when the Equal Credit Opportunity Act passed, most lenders and credit card companies wouldn't even consider female applicants without a male cosigner. More recently, studies have found that, all else being equal, women typically are charged a half point more in interest than men on credit cards and get stuck with higher mortgage rates as well. As for getting a loan if you're a female entrepreneur, the odds are really stacked against you: Less than 3 percent of venture capital funding goes to women founders—and the loans they get, on average, are less than half what men nab, despite bringing in twice as much revenue.

Given the lending industry's checkered record when it comes to women, it isn't surprising that charges of sexism tend to fall on receptive ears. Which is why, when a millionaire tech entrepreneur blasted social media recently with complaints that the Apple Card had discriminated against his wife, the tweets and outrage quickly went viral and have been gaining traction ever since.

What may be surprising, though: There is no proof that discrimination actually took place.

Although the secret nature of credit card algorithms at the heart of the dispute make it impossible to know for sure, many experts believe less nefarious factors likely explain why the entrepreneur's spouse was given a far lower credit limit than he got. They also point out that the questions the controversy raises are not unique to Apple Card and its joint-venture partners Apple Inc. and Goldman Sachs but instead are common throughout the credit card industry.

"Gender inequality in financial services is a huge



CLOCKWISE FROM RIGHT: COURTESY OF DAVID HEINEMEIER HANSSON; NOAH BERGER/AFP/GETTY; JOHANNES EISELE/AFP/GETTY; PREVIOUS SPREAD: FRANCESCO CARTA FOTOGRAFO/GETTY; CARD: APPLE



"GENDER INEQUALITY IN FINANCIAL SERVICES IS A **HUGE ISSUE**
BUT IT'S NOT CLEAR THAT IS WHAT'S AT PLAY HERE."

BAD APPLE?

The Apple Card, backed by Goldman Sachs (New York City headquarters, above left), was introduced by Apple CEO Tim Cook at a launch event in Cupertino last March (below left). But tech entrepreneur David Heinemeier Hansson and his wife Jamie (above) contend the credit card's algorithm yields sexist results.

issue but it's not clear that is what's at play here," says Taylor Tepper, a credit card analyst with Wirecutter, the product review site. "Too little is known about the particulars of the people involved or the factors used in the credit-decision process to draw any conclusion that's not steeped in Twitter outrage."

"The lack of transparency around the algorithms, which are a kind of secret sauce for lenders, means you're going to get these kinds of questions when seemingly strange credit decisions are made, even if there are perfectly legitimate reasons for the decision," adds Matt Schulz, chief industry analyst at Comparecards.com. "Like the old saying, 'Sunlight is the best disinfectant.'"

What Sent Twitter Into a Frenzy

THE CONTROVERSY STARTED EARLIER THIS MONTH when David Heinemeier Hansson, creator of the web development tool Ruby on Rails and co-founder of the software development firm Basecamp, fired off a series of tweets voicing anger over the fact that he'd been given a credit limit on his Apple Card that was 20 times as big as the credit line his wife got on her card. That was true, he said, even though she has a higher credit score and the couple file "joint tax returns, live in a community-property state and have been married a long time." Appeals to customer service representatives for an explanation and a higher credit limit went nowhere, Hans-



son fumed, until he went public with his complaint. Apple then gave his wife the “VIP bump” to match his credit limit, with no further questions asked.

Apple co-founder Steve Wozniak was among the many who replied to Hansson’s tweets, saying he’d had a similar experience. He’d gotten 10 times the credit limit on his Apple Card as his wife had received, he said, even though “we have no separate bank or credit card accounts or any separate assets.” The resulting Twitter blow-up even prompted the New York Department of Financial Services to open an investigation to determine whether any state laws had been violated. In an appearance on CNBC’s *Squawk Box*, Linda Lacewell, the agency’s

in than what you have or how much you’re worth.”

A wife who is primarily a homemaker or who earns a lot less than her husband and lists only her own income on a card application may end up with a much lower credit limit even if she has an excellent credit score, Schulz says. A number of the negative Apple Card tweets alluded to this scenario as an example of how the algorithm might inadvertently discriminate against women, who are more likely to make less money or not work outside the home than men.

But under a rule change from the Consumer Financial Protection Bureau in 2013, spouses can include their partner’s income when applying for a credit card so that this inadvertent bias doesn’t

FIRST BITE

The initial tweet that sparked the controversy (below) has since been retweeted nearly 10,000 times. A potentially even bigger issue: The lack of transparency among all issuers about the factors they use to determine creditworthiness—that is, the algorithms on which their house of cards is built.

“EIGHT OUT OF 10 CARDHOLDERS WHO ASKED FOR A HIGHER CREDIT LIMIT IN THE PAST YEAR WERE SUCCESSFUL, WITH AN AVERAGE INCREASE OF \$1,500.”

superintendent, said, “States have got to be there to make sure that these kinds of discriminatory policies are not being tolerated.”

Goldman Sachs, in turn, quickly denied any wrongdoing, releasing a statement on Twitter pointing to the individual nature of its credit approval process and saying, “We have not and will not make decisions based on factors like gender.”

But many on social media took the company to task for not giving the complaint more meaningful consideration. As one tweeter put it in a direct reply to the company, “‘We don’t believe there is discrimination in our algorithm, but we will investigate this serious matter’ would serve you better than pushing this horse uphill behind a cart-type tweet.”

How This Legitimately Might Happen

WHAT LARGELY GOT LOST IN THE HEATED ONLINE discussions: In common practice, the factors that Hansson and Wozniak mentioned as reasons that their wives should have gotten higher credit limits are not among the factors that credit card issuers typically use to determine creditworthiness. “Filing jointly on your taxes doesn’t matter and you generally don’t list your assets or net worth on an application either,” says Schulz. “For the most part, it’s about income, spending habits and credit history. That is, it’s more about what you’re bringing



Ways to Pump Up Your Credit Line

WHAT CAN YOU DO TO ENSURE YOU GET ALL THE BORROWING POWER YOU NEED ON YOUR CREDIT CARD? EXPERTS ADVISE THE FOLLOWING:



MAX OUT YOUR INCOME

When you apply for a new card, be sure to include any income you get from all of the sources allowed, including your spouse's salary as well as your own, says Taylor Tepper, a credit card analyst at Wirecutter, the product review site. Beside wages from a job, other kinds of income counted by the Apple Card and many other issuers include self-employment and retirement income, interest and dividends from investments and public assistance.



ASK FOR MORE

Roughly eight out of 10 cardholders who asked for a higher credit limit in the past year were successful, with an average increase of \$1,500, according to a 2019 CompareCards study. Yet only 28 percent of cardholders made the request. "If you're not happy with what your credit limit is, you have the power to negotiate," says Schulz. "It's not just millionaire tech founders who can do this."



SHARE THE WEALTH

If your spouse, for whatever reason, qualifies for a much higher credit limit than you do, or vice versa, you can often gain access to his or her additional spending power by becoming an authorized user on that account, Schulz suggests. Or you might apply for a new card as a joint account, if the lender offers that as an option. One caveat: At the current time, this feature is not available for the Apple Card, though Goldman Sachs says it gets frequent requests about it and is looking into enabling it in the future.



PROVE YOU'RE WORTHY

The best time to ask for an increase in your spending power is after you've had the card for at least a few months so the issuer can see how responsible you are with credit, Tepper says. Make sure you only use a small portion of your available credit—no more than 20 to 30 percent—and always pay your bills on time; credit utilization and a history of timely payments are among the most important factors. —DH

occur. And, in fact, the Apple Card application explicitly lists "shared income from someone else that is regularly deposited into your individual account or into a joint account"—that is, money you have ready access to—as one of a half dozen examples of income that you should include for consideration.

How much you regularly spend on your cards is also a key consideration in setting credit limits. "Someone with an excellent credit score and a high income who doesn't spend a ton of money on their cards would be less likely to get a sky-high credit limit than someone with a similar score and income who charges a lot every month," Schulz notes. "Someone who, say, in the course of running a business, might spend \$20,000 a month on their credit card, all else being equal, would get a significantly higher credit limit than someone who doesn't charge nearly as much."

Credit expert Michelle Black of CreditWriter.com is sympathetic to the Hanssons' feelings of outrage, but also doubts that gender discrimination occurred, especially bias that was blatant or intentional. "I can understand why Hansson and

FROM TOP: COURTESY OF NEW YORK DEPARTMENT OF FINANCIAL SERVICES; BRYAN STEFFY/GETTY; ANDREW HARRER/BLOOMBERG/GETTY





challenging from the outside looking in to accurately assess whether discrimination, even inadvertent, is involved. “With any algorithm,” Schulz notes, “you have the possibility of unintended consequences.”

“We don’t know exactly what credit card issuers take into account because it’s proprietary information—the black box problem,” Tepper says. Lacewell at the New York Department of Financial Services, expressed a similar sentiment on CNBC’s *Squawk Box*, noting, “It’s a black box for consumers, it’s a black box for regulators and consumers are entitled to know how these decisions are being made that affect their daily lives.”

Whether Lacewell’s investigation will do anything to change that remains to be seen. But in the meantime, experts also caution consumers not to draw too many conclusions about the Apple Card or the potentially discriminatory nature of credit card algorithms from this particular Twitter brouhaha, since the experiences of the very wealthy cardholders involved may not be entirely pertinent to the average consumer. “This is a very specific situation where you’re dealing with folks with such high incomes who are living in a space that most of us don’t live in,” says Schulz.

In a statement, Jamie Heinemeier Hansson, the

**“THIS IS NOT MERELY A STORY ABOUT SEXISM
AND CREDIT ALGORITHM **BLACK BOXES**, BUT ABOUT HOW RICH PEOPLE
NEARLY ALWAYS GET THEIR WAY.”**

THE FALLOUT

Linda Lacewell (above), of the NY Department of Financial Services, is investigating after others recounted similar issues. Among them: Apple co-founder Steve Wozniak (top left, with his wife). Since 2013, the Consumer Federal Protection Bureau has required lenders to consider joint income on credit card applications.

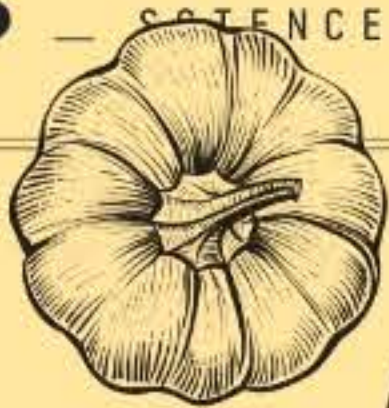
his wife would be upset about the vastly different credit limits issued and why this looks bad on the surface,” she says. “But the only way to determine if real gender discrimination occurred would be to compare apples to apples. You would have to review the Apple Card applications of two spouses side by side to see if they contained different information. And, then, you’d need a bigger sample size of borrowers than just two to see if there was a trend.”

What all sides agree on: The lack of transparency about the factors that go into credit card decisions—not just from Apple and Goldman Sachs but from all issuers—makes it tough to really know how eligibility, credit limits, financing rates and other cardholder determinations are made. Which means it’s

wife of the tech entrepreneur whose lower credit limit sparked the controversy, acknowledged her family’s very different financial circumstances and the role that may have played in her quickly being bumped up to the same credit limit as her husband after he went public with his complaint. She said, “This is not merely a story about sexism and credit algorithm black boxes, but about how rich people nearly always get their way.”

“Justice for another rich white woman,” she added, “is not justice at all.”

→ Newsweek executive editor Diane Harris is the former editor-in-chief of *MONEY* magazine and a co-host of the podcast *Money with Friends*.



BY THE NUMBERS

Thanksgiving

After Christmas, Thanksgiving is America's most-loved holiday, various surveys indicate. Here's a look at how most of us will be spending the day. —Noah Miller, Maya Page

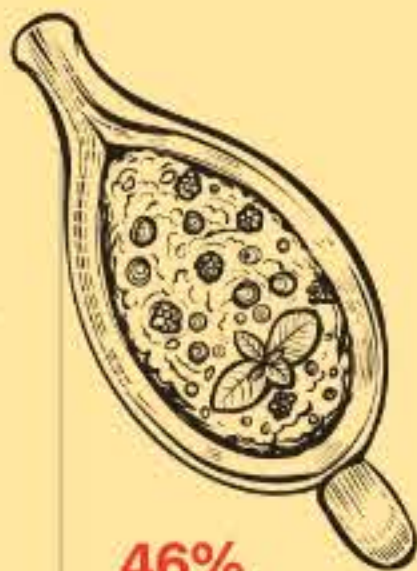
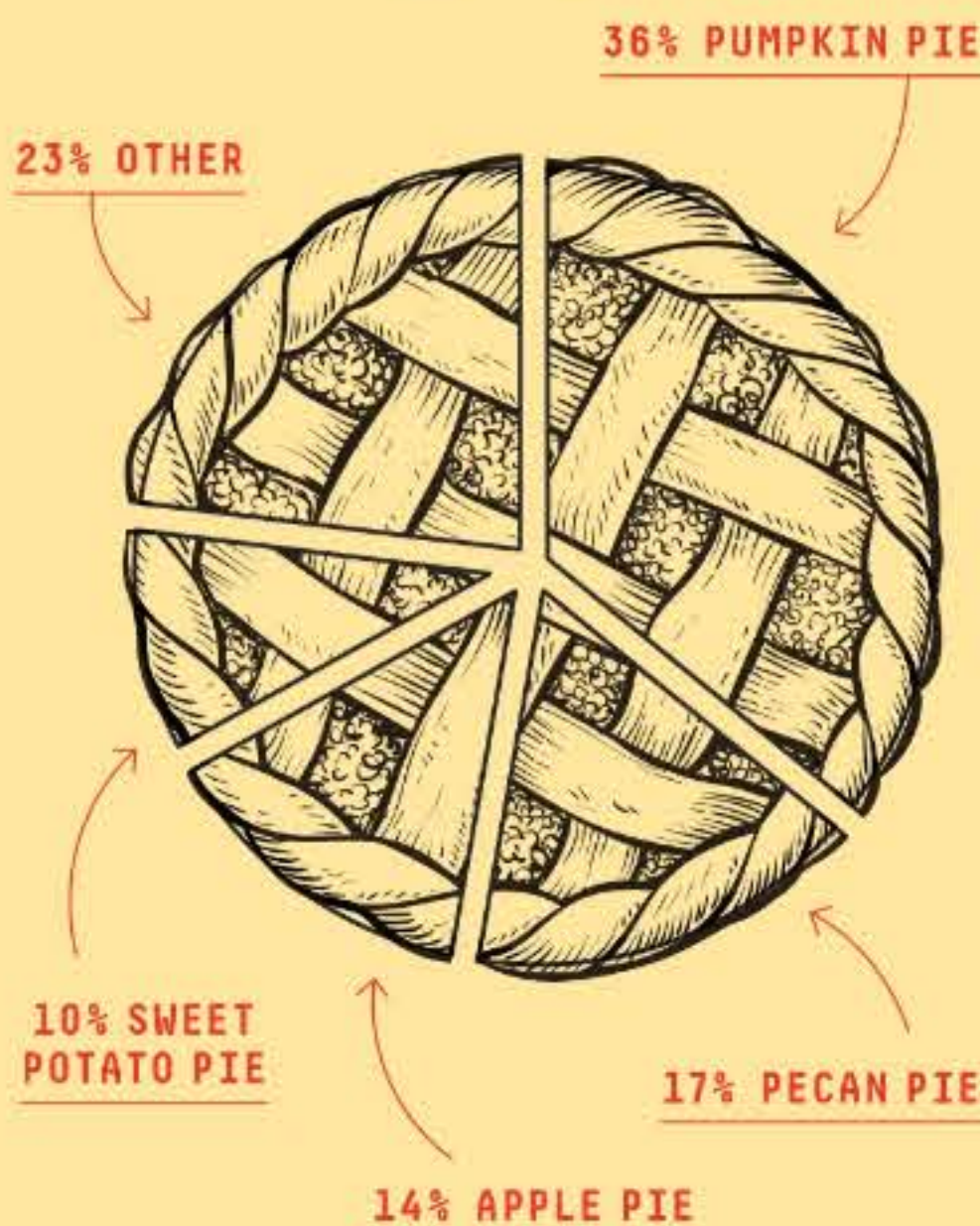
44 MILLION

The estimated number of turkeys eaten on Thanksgiving

Why do people shop at stores on Thanksgiving Day?

- 68%** Don't want to miss the best deals
- 55%** Enjoy shopping with family and friends as part of a ritual
- 26%** Something to do/somewhere to go after Thanksgiving meal
- 20%** To avoid the crowds/experience of Black Friday

America's favorite Thanksgiving Day pies



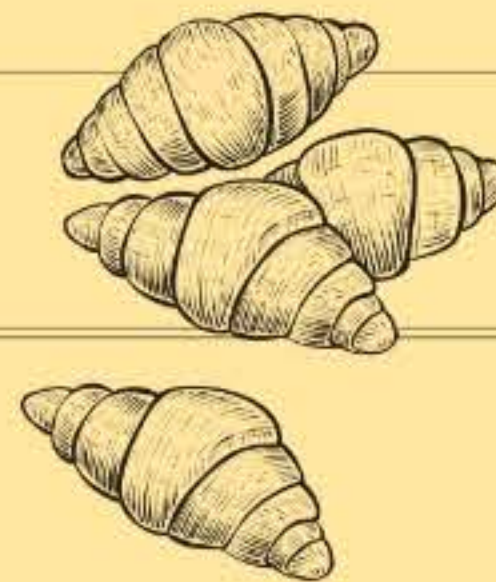
46%

The percentage of Americans who say that **canned cranberry sauce**, the country's most disliked Thanksgiving dish, is "disgusting"



SOURCES: NATIONAL TURKEY FEDERATION, STATISTA, DELTA DENTAL, INSTACART, PILGRIM HALL MUSEUM, THE AMERICAN FARM BUREAU FEDERATION, YOUNGOV





16 pounds → The weight of the average turkey purchased for Thanksgiving last year. Average cost: \$21.71, the lowest price since 2014.

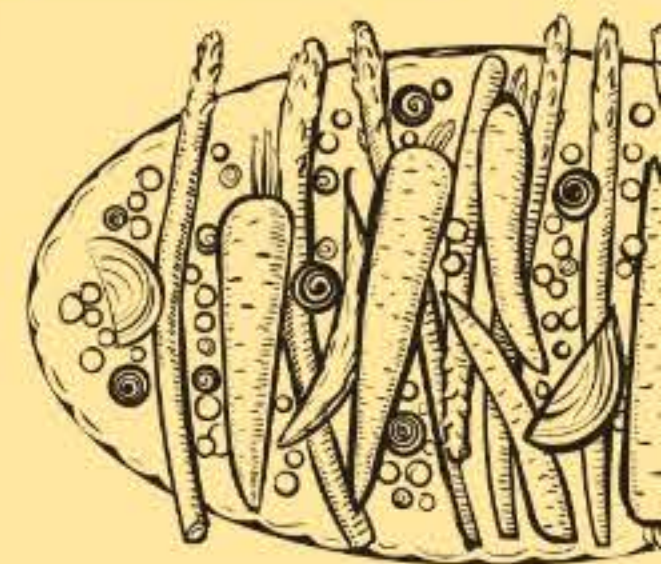


1621

The year the first Thanksgiving feast took place. The three-day celebration, attended by 53 Pilgrims and 90 Wampanoag Indians, marked a successful harvest in Plymouth, Massachusetts.

\$48⁹⁰

The average cost of a Thanksgiving dinner for 10 last year, including turkey, stuffing, sweet potatoes, rolls, peas, cranberries, a veggie tray, pumpkin pie with whipped cream and coffee—with enough for leftovers



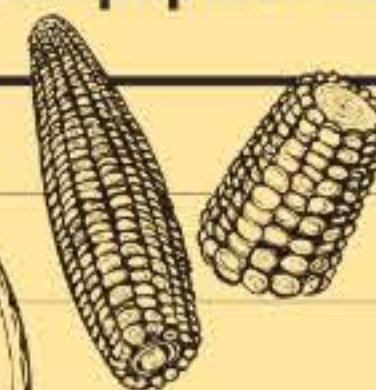
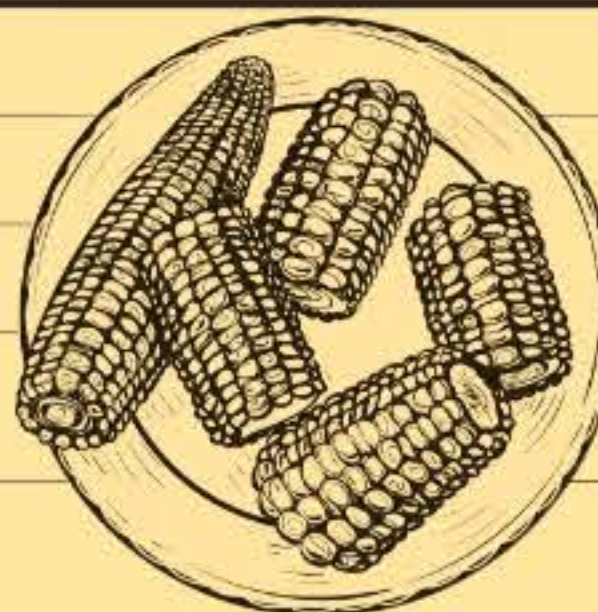
86% → The percentage of Thanksgiving meals that feature turkey as the main dish. The most popular sides:

MASHED POTATOES

STUFFING

CRANBERRY SAUCE

SWEET POTATOES



75%

75%

64%

59%





MOONSHOTS

No More Needles

The future of treatment for food allergy reactions may be a discreet, dissolvable pill

➔ IN CELEBRATION OF THE 50TH ANNIVERSARY OF NASA ASTRONAUTS LANDING on the moon, Newsweek is spotlighting pioneers in science and technology, highlighting their very own moonshots and how they hope to change the world.

Inventor and medical researcher Dr. Mutasem Rawas-Qalaji has ditched bulky EpiPens and needles to create a groundbreaking delivery method for life-saving medication. His epinephrine tablet could be revolutionary for the estimated 240 million people suffering from food allergies worldwide. Epinephrine is the only effective treatment for anaphylaxis from food allergies, but it needs to be administered fast and by injection., a problem for young kids and people afraid of needles. Rawas-Qalaji has developed a tablet form that can be quickly absorbed under the tongue and is more shelf-stable than the traditional epinephrine autoinjector. It could significantly minimize the barriers to fast treatment, saving lives in the process.

BY

NOAH MILLER

Is your epinephrine tablet a game changer?

I think so. It's going to change the way of treating anaphylaxis.

What's the big problem you're trying to solve?

There's fear involved with injecting epinephrine. It is amplified when patients need a second dose. Some patients have to carry a pen with them all the time. The size is cumbersome. They're heat sensitive. There are a lot of issues associated with autoinjectors.

Are those in need of epinephrine injections mostly children?

You see patients in different age groups, but the issues of [injecting medication] become more complex when dealing with children. Receiving an injection is very frightening regardless, and even more so during an allergic reaction.

What do you want to see your tablet do?

I want to see patients carrying the tablets without the challenges—without fearing that their injectors are expired, that they've been left outside in the heat for a long time. It's going to change the whole way we treat anaphylaxis, in how we administer the drug, epinephrine. The tablet is going to relieve a lot of stress. I see the amount of stress and fear parents of children with anaphylaxis live with. Every day they think: Is my child safe at school? At camp? On a sleepover? Some children need to check each and everything they eat; they cannot act like normal children in certain respects. They can't just grab a candy bar or snack that's being offered to them. I want to help patients live more normal lives, not to be always fearful that something is going to happen with their injector.

FROM LEFT: SCIENCE PHOTO LIBRARY/GETTY; COURTESY OF MUTASEM RAWAS-QALAJI (2)

“We can use the same method of delivery to treat exposure to sarin gas in chemical attacks.”

Do people die from anaphylaxis?

In severe conditions, yes. Especially if they are not treated, or if there are significant delays in their treatment—which contributes to the whole fear component.

What is anaphylaxis and how does epinephrine combat that?

When the patient has been exposed to an allergen, it can initiate a series of reactions in the body that may culminate in a constriction of the throat so that the patient cannot breathe. Anaphylaxis may include throat swelling, difficulty breathing, talking, swallowing, a drop in blood pressure and other symptoms. Epinephrine elevates the blood pressure back to normal, regenerates that circulation and relaxes the [smooth] muscles in the lungs and allows the patient to breathe freely. And it requires immediate administration, so if the patient delays, it's going to be much worse.

Is that what would really make this tablet so effective? You don't have to fumble with a pen?

The tablet has exactly the same drug as the injection. You're not restricted to the injection and its potential drawbacks. It's going to be much easier to carry the tablets than the injectors all the time.

Is the tablet cheaper?

Cost is more of a marketing decision

by the company that produces these tablets. However, usually the cost is associated with the mechanics of the injector; the cost of the device itself. Hopefully, they should not be as expensive as the cost of the injectors.

What's the tablet's manufacturing timeline?

We've completed the preclinical component of the research. We're looking forward to moving on to clinical trials so that we can approach the Food and Drug Administration for approval. It could take up to five to six years to enter the market.

What differentiates you from others who have tried to tackle this problem before?

The drug itself is very challenging to work with. We were able to keep the drug stable during storage and formulate a platform that would allow it to disintegrate under the tongue within 30 seconds and release a sufficient amount of the drug, which itself gets absorbed really quickly. I was able to synthesize the microcrystals of

the drug, which allowed us to reduce the dose that we need to administer sublingually to achieve the same concentration as an injection.

Are there other applications for this?

We can use the platform for multiple drugs with the same method of delivery to treat exposure to sarin gas in chemical attacks. The antidote is atropine, which is only available through injectors, like epinephrine. But we can provide the same molecule in a more useful, less invasive way. We developed atropine in a sublingual tablet, and we were able to file a patent for it. We think we'd be able to save a lot of lives. The method also can be used for farmers who are exposed to pesticides.

How do you see the world in 20 years if you succeed?

Hopefully this can be applied for a lot of molecules. I'm really looking forward to helping people in emergency situations. This would make a dramatic change in the cost associated with treating conditions. **N**



EPI-FAST, EPI-FIRST, EPI-EASY Dr. Rawas-Qalaji is determined to make carrying emergency epinephrine more convenient—eliminating some barriers to fast treatment for anaphylaxis, which can save lives.







GAMING

The Best Video Games of 2019

➔ WONDERING WHAT TO GET FOR THE GAMERS ON YOUR holiday gift list? Here are 14 of the hottest titles of 2019 for **Nintendo Switch**, **PC**, **PlayStation 4** and **Xbox One** users. (Only one is playable on Mac.) Retail prices for all of these games will fluctuate over the holiday season, but most will have a list price in the neighborhood of \$60. —*Christopher Groux*



The Outer Worlds
Obsidian Entertainment
Ages 18+ ●●●●

From the makers of *Fallout: New Vegas*, this is a thoughtful and well-crafted RPG similar to its *Fallout* predecessors. In a futuristic world controlled by a megacorporation, will you resist or side with the powers that be? The choice is yours in this topical and comical story-based experience.



Kingdom Hearts III
Square Enix
Ages 10+ ●●●●

Kingdom Hearts III is one of the top-selling games of 2019 and with good reason. Just like the many previous titles in this long-running series, it combines the worlds of Disney and *Final Fantasy* in a sprawling RPG that's great for teens and the young at heart.



Sekiro: Shadows Die Twice
From Software
Ages 18+ ●●●●

By the hack-and-slash experts at From Software, this action-RPG features a redemption story set in 16th century Japan. Players who handle the game's insane difficulty will be rewarded with precise combat and a collection of cool prosthetic weapons.

Luigi's Mansion 3

NINTENDO, ALL AGES ●

In this delightfully spooky game, players take control of Mario's iconic brother as he tries to find his friends in the haunted and labyrinthine Hotel Last Resort. Channel your inner Ghostbuster and capture ghosts on each of the hotel's differently themed floors. This game also has a new multiplayer mode, making it great for family play.



Super Mario Maker 2

NINTENDO, ALL AGES ●

Everyone knows the basics of Super Mario, but Super Mario Maker 2 takes those fundamentals to new heights by letting you create and play Mario courses made by a passionate online community. This game has a single-player mode as well, but it's best experienced with a Nintendo Online subscription.



Call of Duty: Modern Warfare

Activision

Ages 18+ ●●●●

This year's Call of Duty reimagines the Modern Warfare sub-franchise with a fresh campaign, excellent co-op and, of course, first-class multiplayer action. Take on scripted missions with Captain Price or get in on a massive 64-player Ground War with a few of your closest friends. Both returning and new Call of Duty fans will find a reason to love this shooter.



Death Stranding

Kojima Productions

Ages 18+ ●●●●

One of the most talked-about games of 2019. Players take control of Sam Porter, played by *The Walking Dead's* Norman Reedus, as he seeks to reconnect a fractured U.S. by delivering packages. Part of the charm of this very weird game is that you'll spend most of your time traveling from point A to B, while tripping over deliberately cumbersome controls.



PlayStation Network, Xbox Live, Nintendo eShop & Steam Gift Cards

If none of these games sound appealing to your loved ones, you can always buy a gift card for their favorite platform. A brand-new game generally costs \$60, so it may help to start there. However, there are also plenty of smaller denominations for those on a budget.



Tom Clancy's The Division 2

UBISOFT, AGES 18+



This game is a solid choice for diehard military multiplayer fans. As an epidemic continues to ravage Washington D.C., Division agents must keep the peace amongst warring factions trying to take over. The new game features a fresh campaign, player vs. player modes and a robust offering of free and paid expansions. The Division 2 is a fun shooter with lots of content still set to arrive in 2020.



Borderlands 3

Gearbox Software

AGES 18+

For those who don't like the gritty, military world of Call of Duty, Borderlands 3 is a wilder alternative. It's got strong shooting mechanics, vast intergalactic worlds to explore and a literally limitless amount of guns and loot to collect. This series is known for its garish presentation and quirky sense of humor, making it perfect for fans of inappropriate jokes.



Pokémon Sword/Shield

NINTENDO, ALL AGES

Two games for the Pokémon fan in your life. These are the latest RPGs in the long-running series and have dozens of new monsters to battle and collect. They are playable, via Nintendo Switch, both on your TV and on the go.



NBA 2K20

Visual Concepts

ALL AGES

NBA 2K has been the best basketball game on any system, and that's true of this year's entry. The latest offering features an expanded Career mode, improved mechanics and a sweet soundtrack.



Resident Evil 2

Capcom

AGES 18+

Resident Evil 2 first made its debut on the original PlayStation in 1998, but this fully reimagined version is the best incarnation yet. Some spooky story threads remain the same, but the whole experience has been updated with gorgeous graphics and modern mechanics. For the horror fan on your list, this is the one.



Star Wars Jedi: Fallen Order

RESPAWN ENTERTAINMENT, AGES 13+

With the next *Star Wars* movie, *Rise of Skywalker*, set to come out at Christmastime, this new game is a great way to keep your Jedi powers sharp. Players control Cal Kestis, an estranged Jedi secretly using his powers after Order 66 extinguishes the Light Side of the Force.





02 Jackson Hole Airport (JAC)
— Teton County, Wyoming

The only commercial airport in a National Park, Jackson Hole Airport sits at the base of the breathtaking Teton mountain range. You'll want to make sure you have a window seat to take in the mountain views, and it's not uncommon to see bison or elk at the airport entrance.

01 Vancouver International Airport (YVR)
— Richmond, Canada

This award-winning airport keeps travelers entertained during layovers with an aquarium and a mini-Canadian rainforest. The 30,000-gallon tank is like a living kelp forest with 20,000 species of marine plants and animals.



03 Juancho E. Yrausquin Airport (SAB)
— Saba, Caribbean Netherlands

This airport's runway is only a quarter of a mile in length, and it is reputed to be the shortest commercial airstrip in the world. Landing here has been compared to landing on an aircraft carrier surrounded by Caribbean sea views and rugged cliffs.



04 Gibraltar International Airport (GIB)
— Gibraltar

This small airport in a British-owned territory located next to Spain has a working road through the runway, which itself juts out into the sea. The road closes to allow planes to land or depart, but usually doesn't delay flights too much.



Airports You Might Even Enjoy Getting Stuck In

The hectic holiday travel season is upon us, and airports are often the last place to find joy and wonder—unless you're landing in a National Park, the middle of the Caribbean sea or even directly on sea ice. You might enjoy spending a long layover lounging in an indoor rainforest or butterfly garden. Yes, these unusual or beautiful airports are a destination in themselves—you might even hope to get stuck in them. —*Kathleen Rellihan*

**05 Sarajevo International
Airport (SJJ)**

Butmir, Bosnia and Herzegovina

Now a museum, the Sarajevo war tunnel—or the Tunnel of Hope—was dug in 1993 during the 1,425-day-long siege of Sarajevo during the Bosnian War to transport food and humanitarian supplies in and out of the besieged city. Visitors can tour the tunnels before entering the airport to catch a flight.



06 Tenzing-Hillary Airport (LUA)

Lukla, Nepal

Notoriously known as the “world’s most dangerous airport,” this airport sits at 9333 feet and caters to those who can handle a bit of fear—climbers heading to Kathmandu to ascend Mount Everest. A short runway with a 1,968-foot drop at the end and unpredictable mountain weather only add to the drama.



**08 Kansai International
Airport (KIX)**

Osaka Bay, Japan

In an effort to combat overcrowding, this airport was built several miles offshore on an artificial island so massive that it is even visible from space. But while it was once lauded as an engineering marvel, it is now sinking at an alarming rate.



07 Changi Airport (SIN)

Singapore

Changi Airport is home to the world’s tallest waterfall spilling from a glass-and-metal dome 131-feet high within an indoor rainforest. Other attractions include a rooftop swimming pool, 24-hour movie theater, butterfly garden and indoor hedge maze, earning it the top ranking on multiple “best airports of 2019” lists.



09 Ice Runway (NZIR)

McMurdo Sound, Antarctica

While most travelers arrive in Antarctica by ship, this runway on sea ice is the main airway for the U.S. Antarctic Program. It’s only used for part of the year until early December when the sea ice starts to break up.

PARTING SHOT

Helena Bonham Carter

➤ HELENA BONHAM CARTER, WHO PLAYS PRINCESS MARGARET IN THE THIRD and fourth season of Netflix's *The Crown*, says America's fascination with the royal family is a case of wanting what they can't have. "It's your own fault, you tore away, you renounced our king," the English actress says jokingly. Princess Margaret, Queen Elizabeth's only sister, left a complicated legacy when she died in 2002. Often viewed as a tragic outcast compared to her more-popular sister, Carter hopes to shed a more nuanced light on the misunderstood princess. "No one is going to be the narrative they are in the press," Carter said. "It's very hard to be famous and vulnerable, and I think she was a very vulnerable person.... She was also incredibly brave." Bravery is something the Oscar-nominated actress knows a thing or two about, considering she's made a career of playing boldly unique characters from Marla Singer in *Fight Club* (1999) to Princess Margaret's mother Elizabeth in *The King's Speech* (2010).

What did you learn about Princess Margaret, and what do you hope viewers take from your portrayal?

There's a lot of presumption saying she had a tragic life. But I think she had a lot of fun. The narrative in the press about her is a cartoon. I hope that I might have shown somewhat the difficulties of her situation. Hopefully, I got under her skin.

You've played a number of royals over the course of your career. Have you ever heard from them about your portrayals?

Not really. They know who I am. I remember the Queen actually introducing me to Obama, saying "She's in a film called *The King's Speech*."

Princess Margaret, like yourself, was a bit of a gay icon. Why do you think that is?

She is a lesson in camp. Loads of her friends were gay, and I think she felt very comfortable with them; they were kindred spirits. But I think she definitely felt she didn't quite fit in with her family.

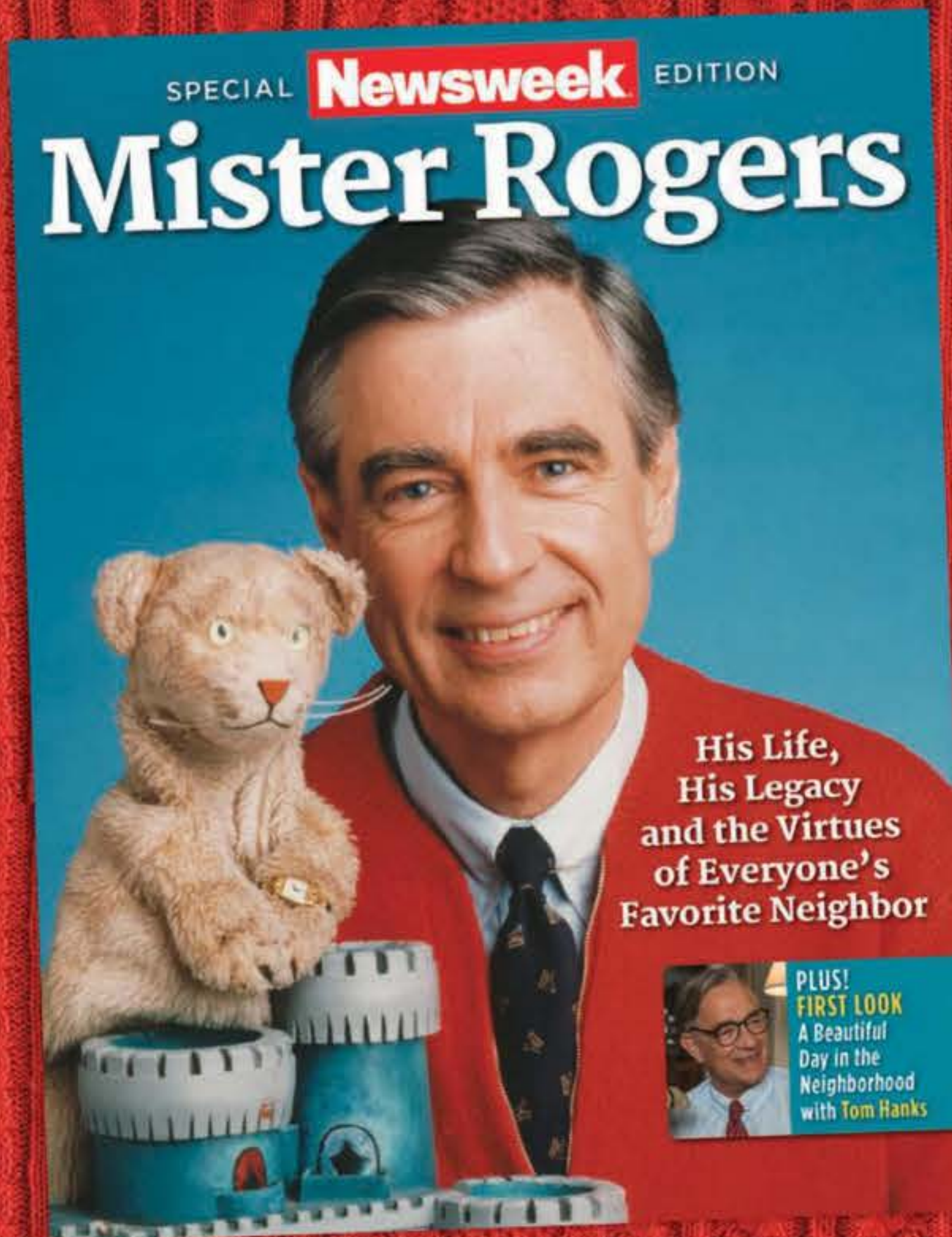
It's the 20th anniversary of *Fight Club*. How did that film impact your career?

Privately that's more my style. In fact, I have Marla Singer's jacket, it's the one jacket I wear to this day. It's a Rick Owens original. But that did have a massive impact, that film has lasted. Which is great vindication because when it first came out it was booed at screenings in Venice. —H. Alan Scott

"[Margaret] was too much in a way... She is technicolor, it's almost too much to be royal."



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